



CITY COUNCIL

ADJORNED and REGULAR MEETING

MINUTES

July 27, 2004

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in an adjourned session at 6:30 p.m., at the San Bruno Senior Center, located at 1555 Crystal Springs Rd., for the purpose of conducting a "Closed Session", with real property negotiator Joe Napoliello, Right of Way Agent regarding price and terms of payment for purchase of property owned by J.C. Penney Company, Inc., Sears Roebuck & Company, and Equilon Enterprises, 1100, 1122, and 1199 El Camino Real in San Bruno. (Pursuant to Gov't Code Section 54956.8 and 54956.9 (b)(1) potential litigation).

The Mayor returned and announced that there was no reportable action taken and adjourned the meeting at 7:04 p.m., to the regular City Council meeting, which was called to order at 7:09 p.m.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. ROLL CALL:

Mayor Franzella presiding with Vice Mayor O'Connell, Councilmembers Ruane, Ibarra and Pallas in attendance. Recorded by City Clerk Simon.

PLEDGE OF ALLEGIANCE: Led by Deputy City Clerk Hasha.

PRESENTATIONS:

Linda DaSilva, Director of Operations for the San Mateo Community College District, (SMCCD) presented a **Certificate of Appreciation** to Fire Chief Dan Voreyer and the San Bruno Fire Department for the fast response, coordination and superior efforts in overpowering a fire at Skyline College on July 6, 2004. She added that this prevented a much larger disaster from occurring. Fire Chief Voreyer also commended Incident Commander, Battalion Chief Dennis Field, the San Bruno Police Department, the National Parks Service, the San Francisco Sheriff's Department and the California Division of Forestry; these were all key components in the situation's successful outcome.

ANNOUNCEMENTS:

- a. The San Bruno Redevelopment Agency meeting follows tonight's City Council meeting.

2. REVIEW OF AGENDA: No changes.

3. APPROVAL OF MINUTES: For Regular Council meeting of July 13, 2004, approved as submitted.

4. CONSENT CALENDAR:

- a. **Approve: Payroll** of July 2nd and 16th, 2004
- b. **Approve: Accounts Payable** of June 21st and 28th, 2004. (Council Packets only, copy is available for review at the City Clerk's office)
- c. **Accept:** Reconciliation of **General Ledger** to Bank reports and the **Investment** reports dated June 31, 2004, as submitted by City Treasurer Karen Hornung.
- d. **Adopt:** Waive second reading and adopt Ordinance No. 1697, an ordinance of the City of San Bruno adding new chapter 7.18 (**Residential Permit Parking**) to Title 7 (Vehicles and Traffic) of the San Bruno Municipal Code.

- e. **Adopt:** Resolution to **dedicate and name street** extending through City Park as “City Park Way”.
- f. **Adopt:** Resolution authorizing the City Manager to execute Grant Offer from the Federal Aviation Administration (FAA) in the amount of \$2,000,000 for **Aircraft Noise Insulation Project**, AIP 3-06-0221-29, Phase 14.
- g. **Approve:** Response by the City of San Bruno to the **San Mateo County Grand Jury** reports on Narcotics Investigations, Sexual Assault Investigations, and Workplace Relationship Policies.

Councilmember Pallas pulled Item 4e, for discussion.

M/S Franzella/Ibarra, to approve the remainder of the Consent Calendar. Passed unanimously.

Item 4e: Councilmember Pallas asked the Council to reconsider naming the street “Veterans Way” instead of the proposed “City Park Way”. He noted that the Parks and Recreation Commission had voted unanimously to recommend the name, “Veterans Way”. He believes that this would make a nice tribute to veterans and is appropriate because, the War Memorial Building is right there too.

Mayor Franzella reminded Councilmember Pallas that staff has been asked to bring forward ideas for recognizing veterans and it is still his opinion that naming a street after them is not best gesture.

Rose Urbach, Euclid Ave., agrees with Councilmember Pallas, anything we can do to honor our veterans, should be done. She asked the council to reconsider the naming of the street through the park.

Councilmember Ruane, for clarification purposes, asked that the record reflect, the June 22nd City Council vote on this item, was a unanimous vote, not a 4 to 1 vote, as referenced in tonight’s item.

M/S Ruane/O’Connell, to approve item 4e. Passed with a majority vote, Councilmembers Ruane and Ibarra, Vice Mayor O’Connell, Mayor Franzella – Yes. Councilmember Pallas – No.

5. PUBLIC HEARINGS: (Notices have been published, posted, and mailed.)

- a. A Public Hearing was held, to introduce and adopt a resolution of the City of San Bruno **approving the issuance of Revenue Bonds** by the Association of Bay Area Governments (ABAG) Finance Authority for the purpose of financing the acquisition and construction of the second phase of multi-family rental housing development known as “The Crossing/San Bruno Apartments”. The project to be financed will consist of 185 rental-housing units to be located on a 1.65-acre site at the northwest corner of Route 380 and El Camino Real in the City of San Bruno.

Director of Community Development Williams gave a staff report. David Cropper with Martin Regis gave an update of the project.

The Mayor opened the Public Hearing and asked if any members of the public wished to speak.

Rose Urbach, Euclid Ave., doesn’t think that the Council has been straightforward with the public, and she thinks the truth wasn’t told about tree removal on Sneath Lane in order for work on the site to be done.

No one else wished to address the Council.

Councilmember Pallas stated a concern that the project was becoming all residential and about the city cost to provide service to new homes.

Vice Mayor O’Connell asked about the schedule for building Senior Housing.

Councilmember Ibarra noted that the project would benefit the City and would bring housing, jobs and much needed revenue to the City.

M/S Ibarra/ Ruane, to close the Public Hearing. Passed unanimously.

Councilmember Ibarra introduced Resolution 2004-44 for adoption. Passed by a majority vote, Councilmembers Ruane, Ibarra, Vice Mayor O’Connell, Mayor Franzella – Yes. Councilmember Pallas – No.

- b. A Public Hearing was held to, consider any protests, approve findings, and adopt resolutions of necessity regarding the acquisition of properties by Eminent Domain pursuant to State law for the City’s **El Camino Real - Sneath Lane to I-380 Improvement Project**. Properties to be acquired are:

- (1) Equilon Enterprises LLC property located at 1199 El Camino Real
- (2) J.C. Penney Corporation, Inc. property located at 1122 El Camino Real
- (3) Sears Roebuck & Company property located at 1100 El Camino Real

Public Works Director Munns gave a staff report, background to the project and made a visual presentation. The City’s outside counsel for this acquisition, Kevin Siegel, with McDonough, Holland & Allen, explained the process for Eminent Domain proceedings. Director Munns then discussed the subject properties, gave a status of the negotiations and answered questions. Mr. Siegel then discussed the specific process of this Public Hearing and the findings that the Council needs to make on the Resolutions of Necessity, following due deliberation.

Mayor Franzella opened the Public Hearing asking if any of the affected property owners were present and wished to address the Council.

None of the affected property owners or their representatives desiring to speak was present after receiving notice of the meeting.

Mayor Franzella then asked if there was any other member of the public that would like to address this issue.

No one wished to speak.

M/S Pallas/Ruane, to close the Public Hearing. Passed unanimously.

Councilmember Ruane introduced Resolution of Necessity 2004-45, regarding, Equilon Enterprises LLC, property located at, 1199 El Camino Real, for adoption. Passed unanimously by a roll call vote.

Councilmember Ruane introduced Resolution of Necessity 2004-46, regarding, J.C. Penney Corporation, property located at, 1122 El Camino Real, for adoption. Passed unanimously by a roll call vote.

Councilmember Ruane introduced Resolution of Necessity 2004-47, regarding, Sears Roebuck & Company, Inc., property located at 1100 El Camino Real, for adoption. Passed unanimously by a roll call vote.

6. UNFINISHED BUSINESS: None

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS:

- a. CATV Director Gyaltsen recommended the City Council authorize the City Manager to execute lease agreements with Metro PCS and Cingular for **cell site locations** at Grundy Park and the Glenview Avenue water tank site.

Director Gyaltsen noted that the Metro PCS lease agreement, will be brought to the Council at a later date and made a change to the remaining lease agreement with Cingular, explaining that it is not on Glenview Avenue, but instead, located at the water tank on San Bruno Avenue. He then gave an overview of the recommended lease agreement with Cingular.

Councilmember Ibarra introduced the resolution for adoption. Passed unanimously.

- b. Parks and Recreation Services Director Mazzuca recommended the City Council approve contract with **Box Lunch Company, Inc.** for the San Bruno Senior Center's Congregate Nutrition Program.

Recreation Services Manager Wendy Mines gave a brief overview of the recommendation.

M/S Pallas/Ruane, to approve. Passed unanimously.

8. COMMUNICATIONS: None

9. STAFF REPORTS:

- a. Finance Director O'Leary recommended that the City Council adopt a resolution approving the **General Fund and Special Revenue Funds budget for 2004-05.**

City Manager Jackson outlined the key points of this item and answered questions.

M/S O'Connell/ Ibarra, to reduce the City Council Meetings and Conferences Budget, from \$7,000 to \$3,500. Passed unanimously.

M/S O'Connell/ Ibarra, to reduce the City Council Staff Recognition Budget, from \$8,000 to \$2,000. Motion failed to bring a 3/5's vote, Councilmembers Pallas, Ruane and Mayor Franzella, voted – No, Councilmember Ibarra and Vice Mayor O'Connell, voted – Yes.

Substitute Motion Franzella/Ruane, to reduce the City Council budget for Staff Recognition from \$8,000 to \$1,500 and the Human Resources budget for Staff Recognition from \$9,500 to \$1,500. Passed by a majority vote. Vice Mayor O'Connell voted, No.

M/S O'Connell/Ibarra, to reduce the City Council Community Promotions General Fund Budget from \$32,000 to \$10,000, for case-by-case consideration, for any community promotions that may be proposed or newly developed. Passed unanimously.

The Mayor directed the City Clerk to notify the non-profit groups that submitted funding requests to the City Council, and were not funded pending finalization of budget reductions.

Councilmember Ruane introduced Resolution 2004-48 for adoption. Passed by a majority

**vote, Councilmembers Ruane, Ibarra, Vice Mayor O’Connell, Mayor Franzella - Yes.
Councilmember Pallas - No**

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

John Barrelier, San Anselmo Ave., is still very concerned about a cracked beam at the Senior Center, questions the timeframe used to remedy the situation and thinks that it is dangerous.

Mayor Franzella assured him that the City’s Chief Building Inspector has reviewed the situation and advised that it is safe for temporary use. He also added that the inspector has been certified by the State of California Office of Emergency Services to assess damaged buildings after events such as an earthquake. The City is awaiting the final design for repair, after which, the City will go out to bid, this will hopefully happen by the first meeting in September.

No one else wished to speak.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

- a. City Clerk Simon** requested that the City Council appoint applicants to fill, one vacancy on the Parks and Recreation Commission, two vacancies on the Citizens Crime Prevention Committee, and one vacancy on the Peninsula Library Board.

All of the applicants have been interviewed by the Council; some of those interviews took place at the July 13, 2004, Adjourned Council Meeting. Councilmember Ibarra was absent with notice, from that meeting. He has since, reviewed the applications of those interviewed at that meeting and the City Attorney has determined that he may vote on the appointments this evening.

M/S Ruane/O’Connell, nominated Katie Beltrano to the Parks and Recreation Commission.

Councilmember nominated Bill Michelini to the Parks and Recreation Commission. Motion died for lack of a second.

Mayor Franzella nominated Greg Pierce to the Parks and Recreation Commission. Motion died for lack of a second.

Katie Beltrano was appointed to the Parks and Recreation Commission by a majority vote.

M/S O’Connell/ Ruane, nominated Ruth Kruidenier to the Peninsula Library Board. Appointed by a unanimous vote.

M/S O’Connell/ Ibarra, nominated Felix Aberouette to the Citizens Crime Prevention Committee. Appointed by a unanimous vote.

M/S Franzella/ Ruane, nominated James Prescott to the Citizens Crime Prevention Committee. Appointed by a unanimous vote.

- b. The Beautification Task Force (O’Connell)** reminded citizens that nomination forms for the 2004 Eighth Annual Beautification Awards are available at the Clerk’s Office, Library, and City Web Site. The deadline is Friday August 20, 2004 at 5:00 p.m.

13. NEW BUSINESS:

Vice Mayor O’Connell requested the City Council approve the placement of an item on the August 10, 2004, City Council agenda allowing for discussion of an appropriate method of **honoring Veterans** and giving direction to staff on how to proceed on this issue. The Vice Mayor suggested that thought be given to involving the local military groups in this process.

The Mayor also indicated that residents are welcome to send ideas to the City Clerk for consideration.

14. ADJOURNMENT:

With no further business to transact the meeting adjourned at 9:03 p.m., to Wednesday July 28, 2004, at 6:00 p.m. for the purpose of a “Special Joint Meeting” with the San Bruno Park School Board members to review changes to the Joint Use Agreement. The meeting will be held at City Hall, 567 El Camino Real. Thereafter, the meeting will adjourn to the Regular City Council Meeting of August 10, 2004, starting at 7:00 p.m. Subsequently, the meeting will adjourn to a Special City Council Meeting, on August 11, 2004, at 7:00 p.m. to review the City’s policy on the sale and use of “Safe and Sane” Fireworks, to be held at, the San Bruno Senior Center, at 1555 Crystal Springs Road.

The foregoing minutes were approved by the San Bruno City Council at a regular meeting held on August 10, 2004.

Respectfully submitted for approval,

Vicky S. Hasha, Deputy City Clerk

Larry Franzella, Mayor